



RE: Wallace Yard and Spur Lines CD

Lawrence, Robert

to:

Clifford Villa, Wurtzler, Gail, Darrell.Early, SHimmelh

11/13/2009 06:07 PM

Cc:

Cami Grandinetti, Ed Moreen, Angela Chung, Cyndy Mackey, Lori Cohen, Linda Anderson-Carnahan, "Lawrence, Robert", "Wurtzler, Gail"

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Cliff,

Your and my e-mails appear to have passed liked ships in the night. Fortunately they are consistent. As we discussed yesterday, we will let Sarah know on Monday whether we can recommend to our management that they sign the decree. I understand that is what Sarah needs in order to file the motion to stay the litigation. I am confident that we will be able to provide that recommendation following our final review of the documents you just circulated. Thanks for your efforts in pulling this all together.

Bob

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Sent: Friday, November 13, 2009 6:35 PM

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Subject: Wallace Yard and Spur Lines CD

All: After a long day of final reviews, I believe I have all docs in final-final form for review and signature by your clients. For ease of transmittal, I will break this up into CD appendices below and SOW attachments to follow in next email.

As discussed, all parties should now provide Sarah Himmelhoch with indication of concurrence by Monday in order to support motion to stay litigation.

Below:

1. Consent Decree: unchanged since August
2. Appendix A: Action Memorandum
3. Appendix B: site map (EE/CA figures 1-1 and 1-2)
4. Appendix C: SOW, with final edits today to fix Table of Contents
5. Appendix D: draft environmental covenant, unchanged
6. Appendix E: Performance Guarantee form (I realized today that UP and BN used different forms, each of which is approved, so I included both here).

Cliff Villa
Assistant Regional Counsel
U.S. EPA Region 10